

Notice of Intent to Adopt Rules Without a Public Hearing

Minnesota Department of Public Safety

In the Matter of the Proposed Permanent Rules Relating to Soft Body Armor Reimbursement; Revisor's ID No. R-4822; OAH Docket No. 25-9018-39833

Introduction. The Department of Public Safety intends to adopt rules without a public hearing under Minnesota Rules, parts 1400.2300 to 1400.2310, and Minnesota Statutes, sections 14.22 to 14.28. By **4:30 p.m. Friday, September 20, 2024**, you may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency contact person. Please send questions to Kim Parker, dps.rulemaking@state.mn.us, 651-201-7170, or the Department of Public Safety, 445 Minnesota Street, St. Paul MN 55101.

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings' eComments website (<https://minnesotaoah.granicusideas.com/>).

Subject of rules and statutory authority. The proposed rules are on the department's program for reimbursing public-safety officers and heads of agencies and entities that buy soft body armor.

In the 2023 legislative session, the legislature significantly expanded who is eligible for the department's vest reimbursement program. Previously, only peace officers and heads of local law-enforcement agencies were eligible to participate. But now, the legislature has expanded the program to firefighters, emergency medical service providers, and heads of agencies and entities that employ public-safety officers.

To manage the program's expanded scope, the department seeks to adopt a new rule chapter that establishes a fair, efficient, and transparent process for vest reimbursement.

The statutory authority to adopt the rules is Minnesota Statutes, section 299A.38, subdivision 4, and Minnesota Laws 2023, chapter 52, article 5, section 77. A copy of the proposed rules is published in the *State Register* and attached to this notice.

Comments. You have until **4:30 p.m. Friday, September 20, 2024**, to comment—supporting or opposing—on the proposed rules, including any specific rule part. **Comments on the rule or requests for a public hearing must be submitted via the OAH Rulemaking eComments website (https://minnesotaoah.granicusideas.com).** If you cannot use the eComments website, you may submit comments in person, via US mail, or by facsimile addressed to Judge McKenzie at the Office of Administrative Hearings, 600 Robert Street North, PO Box 64620, St. Paul, Minnesota 55164-0620, or fax (651) 539-0310.

The department strongly encourages public comment—especially if the proposed rules affect you—and your comments should identify which rule part you are commenting on, the reason for the comment, and any proposed change. Any comments that you have about the legality of the proposed rules must also be made during the comment period.

Requesting a public hearing. In addition to submitting comments, you may also request that the department hold a hearing on the rules. You must make your request for a public hearing by **4:30 p.m. Friday, September 20, 2024**. You must include your name and address in your request and identify the portion of the proposed rules that you object to or state that you oppose the entire rule. Any request that does not comply with these requirements is invalid and does not count as a request for hearing.

You are also encouraged to state why you are requesting a hearing and any changes that you want made to the proposed rules.

Holding a public hearing. If 25 or more people submit a written request for a public hearing within the comment period, the department must hold a public hearing. The department will then proceed according to Minnesota Statutes, sections 14.131 to 14.20, and must publish a notice of the public hearing in the *State Register* and notify people who submitted a written request for the public hearing.

Withdrawing requests for a public hearing. If enough requests for hearing are withdrawn to reduce the number of hearing requests below 25, the department must give written notice to all persons who requested a hearing and explain that enough persons have withdrawn their hearing requests. The department's notice on withdrawing requests must comply with additional requirements under Minnesota Statutes, section 14.25, subdivision 2.

Modifications. The department may modify the proposed rules because of public comment or as otherwise needed to comply with the Administrative Procedure Act. The department must support modifications with information or evidence, including public comments sent to the department. Unless the department follows the procedure under Minnesota Rules, part 1400.2110, the adopted rules may not be substantially different than the proposed rules.

Statement of Need and Reasonableness. In the Statement of Need and Reasonableness (SONAR), the department justifies why the proposed rules are needed to establish an application and reimbursement process for purchased vests and why the department's proposed rules are reasonable.

The department also describes who the rules will affect and estimates the rules' probable cost. The SONAR is now available upon request to Kim Parker or on the department's rulemaking web page (<https://dps.mn.gov/Pages/rulemaking.aspx#search=rulemaking>). You may review the SONAR or get a copy by contacting Kim Parker.

Lobbyist registration. A lobbyist must register with the State Campaign Finance and Public Disclosure Board (see Minnesota Statutes, chapter 10A). You may ask questions about this requirement by contacting the Campaign Finance and Public Disclosure Board at Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Adopting and reviewing rules. If no hearing is required, the department may adopt the rules after the comment period ends. The department will then submit the rules and supporting documents to the Office of Administrative Hearings to review for legality. Please contact Kim Parker if you want to be notified when the department submits the rules to the office, receive a copy of the adopted rules, or register with the department to receive notice of future rule proceedings.

Alternative format. Upon request, the information in this notice can be made available in an alternative format, such as large print, braille, or audio. To make a request, please contact Kim Parker.

August 19, 2024

Bob Jacobson, Commissioner
Department of Public Safety